UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ALABAMA EASTERN DIVISION

LARRY BARTON,)
Plaintiff,))
v.) Civil Action No. CV 10-S-3176-E
ALABAMA HERITAGE)
COMMUNICATIONS, LLC,)
)
Defendant.)

FINAL ORDER

Pursuant to Rule 58, Fed. R. Civ. P., for the reasons stated in the memorandum opinion entered contemporaneously with this order, the motion filed by Defendant Alabama Heritage Communications, LLC ("AHC"), seeking the dismissal of all claims by Plaintiff Larry Barton ("Barton"), pursuant to Rule 12(b)(6), Fed. R. Civ. P., or, alternatively, Rule 56, Fed. R. Civ. P., (Doc. 4) is GRANTED IN PART, as it relates to Barton's First Amendment Claim. That First Amendment Claim is hereby DISMISSED with prejudice. AHC's dispositive motion (doc. no. 4) is otherwise DENIED without prejudice. It is further ORDERED that the remaining claims in this action are REMANDED to the Circuit Court of Calhoun County, Alabama.

ORDERED this 31st day of March, 2011.

United States District Judge